

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

PROB 12B  
(7/93)

APR - 5 2012

**UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF TEXAS**

DAVID J. WALAND, CLERK  
BY  
DEPUTY \_\_\_\_\_

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender  
(Probation Form 49, Waiver of Hearing, is Attached)**

Name of Offender: Peggy Gallimore Duke

Case Number: 4:05CR00199-006

Name of Sentencing Judicial Officer: U.S. District Judge Richard A. Schell

Date of Original Sentence: September 7, 2006

Original Offense: Conspiracy to Manufacture, Distribute or Possess with Intent to  
Manufacture, Distribute or Dispense Methamphetamine

Original Sentence: 81 months imprisonment followed by a 5 year term of supervised release

Type of Supervision: Supervised Release Date Supervision Commenced: December 5, 2011

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**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

**MENTAL HEALTH:** The defendant is required to participate in a mental health program as deemed necessary by the probation officer. The defendant will incur costs associated with such program, based on ability to pay as determined by the probation officer.

**CAUSE**

The defendant commenced her term of supervised release in the Southern District of Texas-Laredo Division, on December 5, 2011. On December 29, 2011, the defendant contacted the supervising U.S. Probation Officer, Esmeralda G. Olivo, and advised she had recently used methamphetamine. The defendant related she has been experiencing episodes of depression, resulting from the recent death of her biological mother. She was reportedly remorseful regarding her drug usage and advised she would not use again.

The defendant informed Officer Olivo she had been previously diagnosed with depression and bi-polar disorder, and is willing to seek mental health treatment. As such, Officer Olivo is recommending no action be taken regarding the defendant's drug usage, as she will continue to participate in substance abuse treatment. Additionally, Officer Olivo is recommending the defendant's conditions of supervised release be modified for mental health treatment as indicated above.

PROB 12B

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Case Number: 4:05CR00199-006

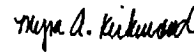
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Respectfully submitted:

Reviewed and approved:

 **Bill  
Gallimore**

Bill Gallimore  
Senior U.S. Probation Officer  
(972) 578-9696, ext. 224

  
Digitally signed by Myra A. Kirkwood  
DN: o=Administrative Office of the US  
Courts,  
email=myra\_kirkwood@bep.uscourts.  
gov, cn=Myra A. Kirkwood  
Date: 2012.02.16 15:54:45 -0600

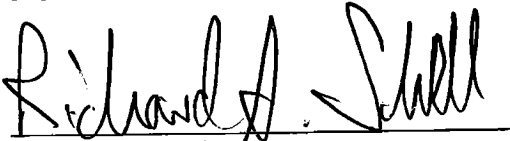
Myra A. Kirkwood, Supervising  
U.S. Probation Officer

Date: February 15, 2012

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**THE COURT ORDERS:**

- ☐ No Action  
☒ The Modification of Conditions as Noted Above  
☐ Other

  
Richard A. Schell  
U.S. District Judge

4-5-12  
Date

PROB 49  
(5/00)

RE: Peggy Gallimore Duke  
4:05CR00199-006

**UNITED STATES DISTRICT COURT**  
**for the**  
**Eastern District of Texas**

**Waiver of Hearing to Modify Conditions  
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or the proposed extension of my term of supervision:

**MENTAL HEALTH:** The defendant is required to participate in a mental health program as deemed necessary and approved by the probation officer. The defendant will incur costs associated with such program, based on ability to pay as determined by the probation officer.

Witness: Brian L. H.  
Supervising U.S. Probation Officer

Signed Peggy Duke  
Supervised Releasee

Date: 12/30/2011

Date: 12-30-11